

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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THE DRAGONWOOD CONSERVANCY, INC.,  
PLEGUAR CORPORATION,  
TERRY CULLEN,

Plaintiffs,

v.

Case No. 16-CV-00534

PAUL FELICIAN,  
PHIL SIMMERT II,  
JANE AND JOHN DOE(S)  
CITY OF MILWAUKEE, and  
ABC INSURANCE COMPANY,  
Defendants.

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**DECLARATION OF HEATHER HOUGH IN SUPPORT OF MOTION IN LIMINE  
TO PRECLUDE CERTAIN WITNESSES AND TESTIMONY PERTAINING  
TO PLAINTIFFS' CONSERVANCY OPERATIONS  
AND PLAINTIFF TERRY CULLEN'S CHARACTER**

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I, Heather Hough, hereby declare as follows:

1. I am an attorney, licensed to practice law in the State of Wisconsin, employed as an Assistant City Attorney for the City of Milwaukee.

2. Assistant City Attorney Jenny Yuan and I were assigned to represent the interests of the City of Milwaukee, Paul Felician and Phil Simmertt, II in the above-captioned case on or about November 15, 2019.

3. On October 22, 2020, counsel for plaintiffs and counsel for defendants conferred telephonically in an effort to stipulate to certain items in preparation for trial. Parties agreed not to illicit testimony or evidence related to federal or state animal permit requirements.

4. During the telephone conferral on October 22, 2020, parties could not agree to preclude Curt Harbsmeier from testifying.

5. Attached and incorporated as Exhibit A is a true and correct copy of an e-mail received from plaintiffs' counsel during discovery regarding testimony of witness Attorney Curt

Harbsmeier on Tuesday, June 30, 2020.

6. Attached and incorporated as Exhibit B is a true and correct copy of an e-mail received from plaintiffs' counsel including two attachments during discovery providing letters in support of Plaintiff Terry Cullen from James Schauer and Curt Harbsmeier sent on Tuesday, September 1, 2020.

7. Attached and incorporated as Exhibit C is a true and correct copy of a letter sent by plaintiffs' counsel during discovery to defendants' counsel dated August 11, 2020 with an attachment of a letter in support of Plaintiff Terry Cullen from Collete Adams.

I declare under penalty of perjury that the foregoing seven (7) paragraphs are true and correct.

Dated and signed at Milwaukee, Wisconsin on October 26, 2020.

TEARMAN SPENCER  
City Attorney

s/Heather Hecimovich Hough  
HEATHER HECIMOVICH HOUGH  
Assistant City Attorney  
State Bar No.1092637  
JENNY YUAN  
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Assistant City Attorney  
Attorneys for Defendants  
City of Milwaukee, Paul Felician, Phil Simmert

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